IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.5600 OF 2004

Imam Shama Nayakwade .. Petitioner
Versus
Deshbhakta Ratnappa Kumbhar
Panchaganga Cooperative Sugar
Factory Ltd. & Ors. .. Respondents

WITH

WRIT PETITION ST.NO.24693 OF 2004

Ms.Varsha Palav with Sarang Aradhye for petitioner
Mr.Vijay Patil for respondent Nos. 1 and 2
Mr.Y.S.Bhate and Suresh Kumar for respondent No.6
Mr.P.M.Patil, A.G.P. for respondent Nos. 5 and 7

CORAM : A.P.SHAH AND

S.C.DHARMADHIKARI, JJ.

DATE : 4TH OCTOBER 2004.

P.C.

1. W.P.St.No.24693 of 2004, though not on board, taken up by consent of parties.

2. Mr. Patil, learned Counsel appearing for

respondent Nos. 1 and 2 states that as per the order of the Commissioner dated 14th September 2004, the Karkhana has paid an amount of Rs.5,15,000/- to the petitioner. In view of the payment, both these writ petitions do not survive and disposed of as infructuous.

3. Suo Motu contempt proceedings initiated against respondent No.2 are dropped.

4. Mr.Patil for respondent No.2 states that the sugar factory has certain claims against the petitioner and the Karkhana intends to adopt appropriate proceedings for recovery of the same in accordance with law. If such proceedings are filed, the same will be considered on their own merits and the order passed by the Commissioner shall not come in the way of Karkhana in claiming the alleged recovery.

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